12th August 1929] [The President]

"The question is—

'*that the report of the Committee of this Council elected in pursuance of the resolution of this Council, dated 4th September 1928, to confer with the Indian Statutory Commission be taken into consideration and that it be forwarded to the commission*'."

The motion was put and carried.

IV

THE MADRAS SERVICES COMMISSION BILL.

The hon. the PRESIDENT:—"The Council will now take up for consideration the Madras Services Commission Bill of 1929." 12-45 p.m.

Clause 4.

Clause 4 was put, passed and added to the Bill.

Clause 5.

Clause 5 was put, passed and added to the Bill.

Clause 6.

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I beg to move—

'*that clause* 6 *of the Bill be omitted*'.

"Clause 6, as you know, deals with appointment and salary of the Secretary to the Commission and I propose that the clause be omitted. I do not think that it is usual, Sir, that, in such Bills where provision is made for the appointment of any particular commissions or departments, even the Secretary is appointed by the Act itself. We can understand the Commission being appointed under the Statute itself, but there is absolutely no reason why the Secretary of the Commission also is to be appointed under the Act. Our complaint is that the Commission is a very costly business and whenever and wherever it is possible to reduce the cost we must do so. In this case, we have not only provided for the appointment of the Secretary but his salary is practically fixed at Rs. 1,500. Of course, it may be said that this amount has been given as the maximum limit and not the minimum. But our experience of the last nine years and more tells us that whenever a maximum is fixed for a post, any officer who is appointed to that post is at once given the maximum pay with a possible request sooner or later that his pay should be increased. In this case that the pay of the Secretary of the Commission should be fixed at Rs. 1,500 seems to be very, very high. I believe the Secretary of this Legislative Council whose functions are, I think, varied and very difficult to perform, gets only Rs. 1,000 and there is no reason at all why the Secretary of this Commission should get Rs. 1,500. There is again, Sir, a proviso in the clause that if the person so appointed is at the time of his appointment a Government servant his salary shall be fixed with the previous sanction of the Local Government.

"It may be said that this proviso will prevent the indiscriminate appointment of a Government servant as the Secretary. So far as I am concerned, it does not very much matter whether the Secretary is to be a Government servant or not. Probably if Government servants are appointed it will be a great advantage to the Commission because these Government servants would have had sufficient experience in performing executive functions. There is no meaning in saying that we have provided a proviso

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creating a difficulty for the Government, as it were, in appointing a Government servant. The one important objection to this clause is that once we put this appointment of Secretary as a provision under this Act, his salary becomes non-votable. The question is as to whether it is necessary that even the salary of the Secretary of this Commission should become non-votable. We take it that this appointment is to be made in India and I do not think the Secretary of State is to be called upon to make this appointment and that the selection will be made by him. Therefore I take it that under ordinary circumstances the pay of this officer will be votable but for this clause. That is one of the very good reasons as to why we should not have this clause. If it is not put in this Bill, it will be included in the budget every year and certainly the Finance Committee will have an opportunity of going into the question when Government make proposals for additional expenditure. Then the Legislative Council also will have a right to go into it. As it is, neither the Government nor even this Council will have any chance of dealing with this question and our idea is, that this salary of Rs 1,500 is very, very high. In this connexion I may state that even the Indian Officers' Association when submitting a memorandum to the Lee Commission, I believe, stated that when Europeans were not demanding very high salaries, the Indians, as a matter of rule, should be satisfied with the maximum of Rs. 1,000. Sir, we are asking for *Swaraj* chiefly with a view, in addition to other things, to have a cheap executive functioning in this country. Our experience during the last seven years points to the fact that the expenses of the local Government have gone up like anything, from 10 crores to 17 crores, a very high jump in seven years which means about a crore every year. Practically, a large portion of it has gone to the pockets of Government servants, whether they are Indians or Europeans. There should be a limit to the maximum percentage of salaries to be paid to Government servants. I would appeal to the Government to refer to the famous Kautilya's Artha Sastra which book was once referred to by Sir Charles Todhunter as a thing to be followed. I believe Kautilya says that the total cost of all the establishments of a Government should not at any time exceed more than 25 per cent of the total revenues collected by the Government. I am afraid that so far as the local Government is concerned, it is more than 75 per cent of the total revenues that goes into the pockets of officers. The sooner we make an attempt the better for us. In the *Swaraj* we expect to come we must have to reduce taxation and that would be possible only if the salaries of all officers are reduced. Here is a case where we are creating a new Commission and the suggestion that the Secretary of that Commission is to have his pay fixed is a novelty. Therefore, we are trying our best to see that this clause is omitted from the Bill. Our idea is to show that we are paving our way for conducting the *Swaraj* Government—we will be getting it one day or other—in the most economical manner and this will be a touch-stone for us. If the Government want a Commission, by all means let them have it. If the Government want the Commission to be a creature of theirs, by all means let them have it as their creature. If they want that the Commission should not only be their creature receiving fat salaries but that they should be dancing at the doors of the Government, by all means let them appoint such a Commission But I ask whether it is necessary that even the Secretary of that Commission should be a man with a big salary appointed by them. That is one point which we want the House to seriously consider. We want that either the Government or the Commission should come before the House whenever occasions may arise either for increase or reduction of salary, as it may suit

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them. Certainly, we have already stated in our adjournment motion that the functions of this Commission are not very serious and it is nothing but an honourable body where some persons will be able to get some patronage, doing whatever the Government ask them to do. As I said already, by all means let the Government have such a Commission. But having appointed a Commission, why should we give them a costly Secretary. It is said that the Secretary must be intelligent and at the same time obedient. If there is not a good deal of difference between the salary of the Secretary and that of the Commissioners, then how would the Secretary be obedient to the Commissioners? Therefore, I would strongly ask this House to accept my motion. This is a small matter after all and it does not go to the root of the question of appointment of the Commission. It only says that we in this Council are not prepared to sign blank cheques and give away large sums of money which do not belong to us but which we collect from the poor ryots to be spent by the Commission in any way they chose. By omitting this clause the House will not be doing anything to put an end to the Commission or to obstruct the creation of the Commission. This House will be doing a very good thing if they remove this clause and do not give a blank cheque to the Government to appoint anybody whom it pleases on such a high salary as Rs. 1,500. There will be no qualifications fixed and once an officer is appointed there will be no power on earth to reduce his salary. Therefore I strongly recommend this amendment for the acceptance of the House."

Mr. Abdul Hameed Khan :—" I second it."

* The hon. Mr. A. Y. G. Campbell :—" Sir, the object of this clause as well as of certain other clauses in this Bill is to enable the Commission to carry out its duties free of all political influences which might be brought to bear upon them by the Ministerial party. If the Commission were deprived by the Legislative Council of the pay of the Secretary and the staff and of money for office expenses, its expenses, its functions would be very materially hampered. The Legislative Council could render the provisions of the Bill absolutely inoperative. For these reasons, it is proposed in this clause and the following one to make provision for the pay of the Secretary, and of the staff and for the office expenses of the Commission so that they shall not be liable to any vote by the Legislative Council. It has to be borne in mind that the Ministry by means of its majority in the Legislative Council will be able to carry out their own proposals, and to withhold, if they so desire, any provision for the Secretary and the staff of the Commission which is 'votable'." 1 p.m.

* Mr. S. Satyamurti :—" Sir, I entirely agree with my hon. Friend the Revenue Member, that this Commission should be allowed to function without being interfered with in its work by political parties or political influence. If this Bill had made this Commission practically autonomous in all matters of recruitment and patronage, I could have understood the argument of the hon. the Revenue Member. May I invite my hon. Friend to look at clause 12 of this Bill? 'In the exercise of its function under sections 9, 10 and 11, the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of or recruitment to any provincial or subordinate service of special post.' I take it, Sir, the Local Government will mean very shortly a Ministry responsible to this House. If that Ministry is to make rules with regard to recruitment and so on and if this Commission is only to carry out those rules in its work, I should like to know what becomes of the somewhat powerful argument which my

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hon. Friend advanced that this Commission ought to be free from political influence. May I ask whether he will kindly meet this point and whether he expects the Local Government not to make rules that will commend themselves to a majority of the House. I take his own argument. His argument is that the Ministry is presumed to have a majority. I shall be glad if it is so because we have seen Ministers functioning without any majority in this House. May I ask him to answer my question why the rules should not be made by the Legislative Council ? When these rules are made, they ought to commend themselves to the majority of this House. If they do not, the Local Government will be censured. So they are not to make any change in the rules made for the constitution of these services. If my hon. Friend would agree to omit all such clauses in the Bill as seek to fetter to any extent the functions of this Commission which I agree with him ought to be entirely unfettered, I can understand his position. As it is, Sir, it seems to me that clause 6 of the Bill is wholly unnecessary unless it be to make even the salary of the Secretary and all the servants of this Commission non-votable. May I also invite the attention of the House to the fact that the Registrar of the High Court and his establishment are subject to the vote of this hon. House ? I am sure every hon. Member agrees that the High Court ought, certainly, to be independent of any political influence. I am glad to say that High Courts in our country have on the whole maintained that independence, but the Registrar of the High Court and the whole establishment of the High Court come under review of this House every time when the budget is presented. Is it seriously suggested that, because the ministerial establishment of the High Court and their salaries have to be voted by this House, the independence of the judges is affected ?

"May I give one other example ? His Excellency the Governor ought to be above all political considerations. His bodyguard, his band, his furniture, etc., come under the vote of this House. Is it suggested that because this House has got the power of voting on these personal conveniences of His Excellency the Governor including his tour expenses—my hon. Friend suggests dietary charges—we are likely to fetter the political independence of the Governor ?

"Sir, I want to advance one more argument. The other day it was said on my motion for the adjournment of the consideration of this Bill for one year that we must have this Commission as early as possible and that if there were any defects found in its working, we can remove them afterwards. May I use that argument, and say that we may well accept this amendment, remove this clause and see how the Bill works for the next two or three years and if it is found that this House is interfering too much with the discretion or independence of the Commission, then it will be time enough to come before this House for the salary of the Secretary being removed from the vote of this House ? I feel, Mr. President, that, while the Commission should be independent and exercise its patronage without any political influence, there should be some power somewhere to control them. After all, to err is human ; we may appoint the very best men ; we may make the best provisions. But it seems to me, Mr. President, that in the last resort this House should have power to tell this Commission what they are about. I am sure every hon. Member of this House will be convinced that it is not likely that this House will lightly interfere with the discretion of this Commission until and unless a very strong case is made out. For all these reasons, and with a view to

improve this Bill and have a really independent Commission, the incorporation in it of a similar provision as we have with regard to the High Court and His Excellency the Governor can very well be accepted. I therefore commend this amendment to the acceptance of the House."

* Mr. J. A. SALDANHA :—" Sir, I am afraid that this objection on the part of the hon. Revenue Member comes with some inconsistency, because when the appointment of the Commissioners themselves is made by the Governor in Council, I do not see any reason why the Legislature should not have some voice in the appointment of the Secretariat of this Commission. Besides that, Sir, these Commissioners can be removed by the Governor in Council subject of course to the approval of His Excellency the Governor. When the Governor in Council finds that the Commission shows some real independence, I am sure that the Commissioners will be removed by the Governor in Council. Where is the independence of this Commission at all, when the Commissioners can be appointed and removed at the pleasure of the Governor in Council? Now the hon. Revenue Member is very anxious to secure the independence of the Secretary of the Commission from the influences and votes of the Legislature. This is inconsistent.

" Sir, we have tabled amendments to that clause, but unfortunately the discussion on the report of the Madras Simon Committee was finished early and we could not be here in time. We thought there would be discussion for a long time on that report; we thought that at least two hours would be devoted to that business. But it was finished earlier and we were quite taken aback. . . . . ."

* The hon. Mr. A. Y. G. CAMPBELL :—" Is the hon. Member in order to refer to the discussion on the Report of the Simon Committee ?"

* Mr. J. A. SALDANHA :—" The fact is there has been some delay in our coming in. . ."

* The hon. the PRESIDENT :—" I do not think that will be relevant to the discussion."

* Mr. J. A. SALDANHA :—" The Council has passed the previous clauses of the Bill without considering the amendments that have been tabled. The Council has accepted the provisions of the Bill that the Commissioners might be appointed and removed by the Governor in Council. Then where is the independence of that body? It will not be an independent body; it will be a wing of the Secretariat, a weak wing of the Secretariat under the thumb of the Governor in Council and the departments of the Secretariat. It is not fair on the part of the hon. the Revenue Member to object to the Legislative Council having some control over the vagaries of this Commission. The Commission will be under the whims and fancies of the Governor in Council and of the Ministry also and their Secretaries. It will not be an independent body. I appeal to the dignity and prestige of this House and ask whether we should not exercise occasionally some supervision over the arbitrary discretion of the Commission. I appeal to the House to omit this clause."

MR. ABDUL HAMEED KHAN :—" Mr. President, Sir, I do not think that the Government need feel worried over this question because, after all, what they intend to legislate will result in giving power to the Governor in Council. As things are to-day and in the present constitution of the Government, it may be possible to keep out the present Ministry from exercising its

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influence over the services in the province. But as, we all know, it will not be far when we will bring into existence a cabinet consisting of Ministers only, who, along with the Governor, will form the Governor in Council. In these circumstances I do not know how, with a clause like the present and without the Council having no say in the matter, it will be possible to keep the Ministry from interfering or influencing the discretion of the Commission. The clause, as it stands, says that the Governor in Council will have power to appoint or dismiss the Commissioners; of course no such order can be passed without the personal concurrence of His Excellency the Governor. I do not think that the argument that the Ministry will have no voice in the appointment to public services will hold water. I think that it is incumbent that the Legislature should have some voice in some form or other over the activities of the Commission even though it should not exercise its influence over the details of the functions of the Commission. I have, therefore, great pleasure in supporting the amendment."

1-15. p.m. * Mr. H. F. P. Hearson :—" Mr. President, Sir, I rise to oppose this amendment. This amendment is, as far as I can see, supported by two arguments. One is that the inclusion of clauses making the salaries of the Secretary and staff part of the Bill makes them non-votable, and therefore this Council is thereby deprived of any opportunity of discussing or criticising the work of the Commission. This annual opportunity of discussion and criticism is very highly valued and appreciated by the Council in the case of other departments not dissimilar to this Commission, notably the High Court, and my Colleagues and I have every sympathy with this point of view. This object however, we feel, can be equally well achieved by the omission of clause 7.

" The second reason put forward in favour of this amendment is that the salary of the Secretary suggested at a maximum of Rs. 1,500 a month is too high. My Colleagues and I do not agree with this view. We appreciate that the work of the Commission will be important and arduous and that it is highly essential that a Secretary of first-class ability should be available for the Commission, and that to achieve this an adequate salary is necessary, and we do not agree that a maximum of Rs. 1,500 is too high. The hon. Member for the University has stated that Members of this Council will not lightly interfere with the working of the Commission by taking advantage of the opportunity of discussion and moving cuts in budget debates. Seeing however that his Colleague the hon. Mover of this amendment is of opinion that this maximum salary is too high and that he is already ready to move a motion reducing such salary, my Colleagues and I feel that the danger of throwing open the salary of the Secretary to a budget debate is a considerable one, and we therefore are strongly of opinion that clause 6 should be retained in the Bill.

" As regards clause 7, however, which refers to the clerical staff, etc., of the Commission, we are inclined to the opinion that that clause might well be omitted."

Mr. A. Kaleswara Rao :—" Mr. President, the opposition to this amendment has come on two grounds, one that by removing this clause, political considerations will prevail which will hamper the work of the Commission; and two, that clause 7 is sufficient to bring the work of the

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Commission before this House from time to time to enable this House to express its opinion upon the work done. I submit that both these arguments are fallacious. In the first place, while the Commission itself is made to depend entirely on the executive of the day for its existence and continuance, I do not see how political considerations could not come into play in the appointment of the Commissioners and the Chairman. Under clause 4, the Commissioners have got to be appointed by the Executive Government, now by the Governor in Council and hereafter by the Governor and his Ministers. Of course, His Excellency the Governor will not exercise his discretion against the advice of the Cabinet in future, and therefore it is the political party in power, that is the Ministry in power, that will control the appointment of the Commissioners. The Commissioners are not made absolutely independent of the Local Government like the High Court Judges. The Commissioners can be removed at the pleasure of the Local Government. I submit there is full play for political feelings here. As pointed out by Mr. Saldanha, we had no opportunity to move our amendments in respect of clause 4 and that clause has been passed already. It is therefore right that the appointment of the Secretary and his pay should not be fixed by statute but should come for the vote of this House year after year at the time of the budget, so that the House may have then an opportunity of discussing the way in which the Commissioners are appointed and the way in which the work is done by the Commission. With regard to the argument that clause 7 is quite sufficient, I do not understand the point at all. Clause 7 says that the Commission may spend up to Rs. 1,000 for the appointment of such staff as may be necessary and also for contingencies, stationery, etc. Therefore, by giving a blank cheque for Rs. 1,000 the Commissioners themselves can appoint whatever staff they want and they need not come to the vote of the House for that purpose. Therefore I say both the clauses 6 and 7 should go, but our amendment to clause 7 will come later. It is thus clear that both the arguments advanced against this amendment are fallacious and there should be at least this safeguard that the whole thing should come before this House for discussion at least during the budget time every year, so that this popular body elected by the people may have an opportunity of expressing its opinion on the work of the Commission and controlling the idiosyncracies of the executive."

* The hon. the PRESIDENT :—"The question is
'*Omit clause* 6'."

The amendment was put and declared lost. A poll was demanded and the House divided thus :--

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, C. V. Venkataramana Ayyangar.
5. ,, S. Satyamurti.
6. ,, J. A. Saldanha.
7. ,, G. Harisarvottama Rao.
8. ,, Abdul Hameed Khan.
9. ,, L. K. Tulasiram.
10. ,, K. V. R. Swami.
11. ,, D. Narayana Raju.
12. ,, K. R. Karant.
13. ,, P. Anjaneyulu.
14. ,, Obi Reddi.
15. ,, C. Ramasomayajulu.
16. Mr. T. Adinarayana Chettiyar.
17. Sriman Biswanath Das Mahasayo.
18. Mr. A. Kaleswara Rao.
19. ,, K. Uppi Sahib.
20. ,, M. Narayana Rao.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. Krishnaswami Nayakar.
23. ,, C. Venkatarangam Nayudu.
24. ,, A. Ranganatha Mudaliyar.
25. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
26. Mr. R. Nagan Gowda.
27. ,, C. R. Parthasarathi Ayyangar.
28. ,, K. R. Venkatarama Ayyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Dr. (Mrs.) S. Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Maharaja of Jeypore.
11. Mr. Alladi Krishnaswami Ayyar
12. Mr. Hilton Brown.
13. ,, H. A. Watson.
14. ,, A. G. Leach.
15. ,, J. Gray.
16. ,, S. V. Ramamurti.
17. ,, C. B. Cotterell.
18. ,, V. Ch. John
19. ,, M. A. Manikkavelu Nayakar.
20. Syed Tajudin Sahib Bahadur.
21. Mr. C. D. Appavu Chettiyar.
22. ,, H. B. Ari Gowder.
23. ,, A. B. Shetty.
24. ,, J. Bheemayya.
25. ,, P. J. Gnanavaram Pillai.
26. Mahmud Schamnad Sahib Bahadur.
27. The Zamindar of Singampatti.
28. Mr. J. Kuppuswami.
29. Subadar-Major S. A. Nanjappah Bahadur.
30. Mr. T. M. Narayanaswami Pillai.
31. ,, N. Siva Raj.
32. ,, M. V. Gangadhara Siva.
33. ,, V. I. Muniswami Pillai.
34. ,, W. P. A. Soundarapandian.
35. ,, S. Subrahmanya Moopanar.
36. ,, S. Venkiah.
37. Rao Sahib R. Srinivasan.
38. Mr. V. Ramjee Rao.
39. ,, G. R. Premayya.
40. ,, H. F. P. Hearson.
41. ,, S. Arpudaswami Udayar.
42. ,, C. E. Wood.
43. ,, A. J. Leech.
44. ,, F. E. James.
45. Raja of Kallikota.
46 Mr. B. Ramachandra Reddi.
47. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
48 Rao Bahadur Sir A. P. Patro.
49 Diwan Bahadur P. C. Ethirajulu Nayudu.
50. The Maharaja of Venkatagiri.
51. Mr. P. T. Rajan.
52. Rao Bahadur S. Ellappa Chettiyar.
53. Khan Bahadur Syed Abdul Razaack Sahib Bahadur.
54. Mr. Khadir Muhi-ud-din Sahib.
55 Rao Bahadur B. Muniswami Nayudu.
56. Mr. A. V. Bhanoji Rao.

Ayes 28. *Noes* 56.

The amendment was lost.

* The hon. the PRESIDENT :—"The Council will continue to sit till 1-45 p.m. and re-assemble after lunch at 3 o'clock."

* Sriman BISWANATH DAS Mahasayo :—"Mr. President, Sir, I beg to move

'*that in line 3, the words " and five hundred " be omitted.*'

"Sir, this amendment cuts down the pay of the Secretary to Rs. 1,000 from Rs. 1,500. Hon. Members of this House have just now passed clause 6 making the pay of the Secretary non-votable, so as to keep it out of the purview of the discussions of this House. No case has been made out either by the Select Committee or by the hon. Member in charge of the Bill as to why the pay of the Secretary should be Rs. 1,500. In this connexion, let me mention that the Indian Officers' Association in its memorandum submitted to the Lee Commission very frankly, fairly and with a patriotism, all its own, stated that a pay of Rs. 1,000 was a satisfactory pay for all the higher services in India. Sir, ours is a poor country, a country where the average annual income of the people does not exceed Rs. 36 a year. It is therefore unfair to fix a pay of Rs. 1,500 here, as in other countries which are richer and more prosperous. I may also remind hon. Members of this House that in the first Council, 1921–23, a resolution was moved—and I think, Sir, you were also a party to that resolution—when the Council unanimously decided that, so far as the pay of the higher officers was concerned, a third of it should be reduced, having regard to the poverty of the country. Sir, a poor country cannot afford to have too many high paid offices and much less, pay high salaries to its officers.

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Looking at the minutes of dissent appended to this Public Services Commission Bill I find a number of hon. Members of this House have recorded their protest against the high rate of salaries that have been fixed by the Government and by the majority of the Members of the Select Committee.

"That being so, I think it is now time that hon. Members of this House should right the wrong that has been done to the public finances of the country. Sir, my hon. Friend Mr. Hearson said, while discussing the last clause, that he would be quite willing to bring the pay of the Secretary within the purview of the discussion of the Legislative Council. I vainly waited to see a motion of that kind from him. I therefore request you to see that in view of the security that has been offered, in view of the poverty of the country, and in view of the previous commitments of this House, it is unfair to fix the salary of the Secretary at Rs. 1,500 a month. The pay of the Registrar of the Madras University is fixed at a thousand rupees, though he has been recruited from time to time only on a short tenure of 4 or 5 years. The Registrar of the Andhra University is paid much less; and the duties of these Registrars are far more onerous than those which have to be performed by the Secretary to the Public Services Commission. I think, to my recollection, the highest pay that is offered to a Member of the Madras Provincial Service is Rs. 800, unless they are taken to the selection cadre. Moreover, the highest pay that we offer to the Sub-Judges is Rs. 1,200. So, I think it is very unfair on our part to fix the maximum salary of Rs. 1,500 to the Secretary to the Commission, who will be after all at the mercy of the Commission and I feel sure that they will very soon exercise their discretion and give him the maximum pay at their pleasure. With these remarks, Sir, I move that the pay of the Secretary to the Public Service Commission be reduced from Rs. 1,500 to Rs. 1,000 a month."

Mr. R. Nagan Gowda:—"Mr. President, Sir, I wish to second the motion made by my hon. Friend, Mr. Biswanath Das. Sir, in doing so, I wish to take exception to one or two statements that the hon. Mover has made. Sir, if I understood him rightly, he said it may be all right in other countries for the Secretaries and others to get higher salaries, but here in a poor country like ours, we ought not to pay such high salaries comparable to the pay in other countries. Sir, I wish to state that this salary of Rs. 1,500 will be high almost anywhere in the world. In the United States, it would be equivalent in its purchasing power to 15 hundred dollars. In the whole of the United States I do not know of a single Member of Government getting more than a thousand dollars. Mr. Hoover, while he was the Secretary of the Interior in the last Cabinet was getting but a thousand dollars, which would be equivalent to our thousand rupees in its purchasing capacity. And these salaries are really very high when we compare them not even with the average earnings of the people here, but with the living wage in this country. I am sure any economist would agree with me when I say that Rs. 75 to Rs. 100 would be a decent living wage in this country and to pay more than ten or even fifteen times that amount, simply because he is a Secretary or simply because the Government want to favour a particular person, for what else is it?—to pay ten or fifteen times the living wage or almost fifty times the average earning capacity of a citizen in this country is doing a great disservice to the people of this country. Sir, in this country, by paying such huge salaries you are creating a wide gulf between the masses of the people and the officials who, receiving huge salaries fail to understand the difficulties of the poor masses. After all, these gentlemen might perhaps come from families eating rice and pepper water and in paying

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the Rs. 500 or Rs. 1,000 each what is the object achieved except wasting public money. I therefore have great pleasure in seconding the motion made by my hon. Friend, Mr. Biswanath Das."

* The hon. Mr. A. Y. G. Campbell :—" Mr. President, Sir, I am sorry I cannot accept the motion, but I would like to correct one or two mistakes which were perhaps unintentionally made by both the Mover and the Seconder. The maximum pay of a Sub-Judge or a Deputy Collector in the selection grade is about Rs. 1,200 and they have opportunities of rising still higher as Collectors or District Judges on very much higher salaries."

Mr. R. Nagan Gowda :—" I think those salaries also are unjust."

* The hon. Mr. A. Y. G. Campbell :—" Mr. Nagan Gowda seems to be under the impression that a rupee is equivalent to a dollar. If you accept a salary in America on fifteen hundred a month, it would be equivalent roughly to 500 dollars a month and so, that argument does not seem to be sound.

" Sir, we want to provide the Commission with the power to appoint a Secretary who will, in their opinion, be able to carry out the ordinary duties with which he will be entrusted. There is no doubt that he will have most important functions to perform and it is desirable that the Commission should not be hampered in their choice by having too low a maximum salary fixed for the appointment of the Secretary. The clause provides for a maximum figure, but it is not necessary for the Commission to give the whole of that amount and especially on the first appointment, and I have no doubt that they will pay whatever amount they find necessary in the public interests to pay for the man they require. The exact figure may be fixed on a careful consideration, but this figure has been fixed by the Select Committee and I think that we should accept the opinion of the Select Committee."

Mr. R. Nagan Gowda :—" On a point of personal explanation, Sir. What I said was that the purchasing value of a dollar in the United States is equivalent to the purchasing value of a rupee in India."

Mr. K. R. Karant :—" Mr. President, Sir, I beg to support the amendment of my hon. Friend, Mr. Biswanath Das. I think that thousand rupees a month is more than enough and there must be some limit to the extravagant expenditure of this Government. I think it was brought to the notice of this House about nine years ago that the expenditure of this Government was somewhere about 1,200 lakhs and in the course of nine years, they have managed to take it to 1,800 lakhs or one and a half times more. So far as these Secretaries are concerned, I think, hon. Members are aware that last year a motion was passed in this House to give relief to the non-gazetted officers, especially in the lower grades and with a slight modification, wherever possible we may also reduce higher salaries. The Government were not good enough to accept that resolution. In every other case, it is our misfortune to find that they take great pleasure in giving abnormal salaries. If it is a case of some benefit to the agricultural ryots in this country, they, instead of doing this, go on increasing the salaries of the higher officers in agricultural reorganization, which will cost three to four lakhs recurring every year, I can assure, that with my little knowledge of local conditions, not a pie will go to the benefit of the poor people.

" Again, in regard to the question of Forests, a resolution was passed in this House some time back . . ."

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* The hon. the PRESIDENT :—" I do not see the relevancy of the case of other departments to this debate."

Mr. K. R. KARANT :—" I want to point out the general extravagance on the part of Government."

* The hon. the PRESIDENT :—" They may be excellent reasons at the time of voting, but are not really important as far as the discussion is concerned."

Mr. K. R. KARANT :—" Sir, I wish to say that we cannot afford to waste money like this if we want to do any real good to the public, like the eradication of malaria or helping the agricultural ryots with subsidiary industries. If we want to do all these things, we must have funds and so we cannot vote for a sum like Rs. 1,500. When we have been asked to vote for a salary of Rs. 1,500 we ought to take all these considerations into account and we cannot afford to pay such salaries, because we have other needs. For these reasons I support the amendment."

* Mr. K. KOTI REDDI :—" Mr. President, Sir, I rise to correct a very false impression in the mind of the hon. the Revenue Member who rose up in order to correct what he termed a misapprehension that some hon. Members here have made. Sir, when Mr. Nagan Gowda told the House that one rupee in this country is equivalent to a dollar in America in its purchasing power, I thought the hon. Revenue Member would understand the implications of the words 'purchasing power'. Everyone of us, I believe, including Mr. Nagan Gowda knows the equivalent value of a dollar is about three or four rupees, but the purchasing power of a dollar in that country is really equivalent to, and not much more than, the purchasing power of a rupee here. What is the value of the silver by itself ! We cannot eat silver when we are hungry, nor can we drink it when we are thirsty, and after all, the use of money is only in purchasing the necessaries for the existence of life. From that point of view, the dollar in America is equivalent to the rupee in India. When in a country like America, a country which is really the wealthiest in the world, the highest officers are not paid more than two or three thousand dollars, it is all the more reasonable why the highest officers should be paid not more than Rs. 2,000 in a poor country like this. When such is the case, I really believe that the Secretary to a Commission should not be paid more than Rs. 1,000. I think it is no doubt a question on which a sympathetic view has to be taken, namely when there are so many Secretaries who are paid high salaries, why this Secretary alone should be made to receive less. It looks unfair that we should now try to reduce the salary of the Secretary to this Commission. But, really this is the opportunity that we have. We know that the public expenditure on administration is going from bad to worse. And for every necessary and useful purpose in this country we are told that there is not enough money. The one way of reduction of expenditure will be to cut short the expenditure on officers wherever possible. In the case of officers who are already receiving high salaries, it is not fair and just to reduce their salaries even if possible."

* The hon. the PRESIDENT :—" The Council will now adjourn and reassemble at 3 o'clock."

After Lunch (3 p.m.).

* Mr. K. KOTI REDDI :—" I was going to say, Sir, that the administrative expenses of this province have nearly doubled in a decade and the increase of

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salaries in the higher services of the Government has been, I daresay, very high judging from the standard of the pay that is being paid in the richer countries. I believe, Sir, that in other countries the difference in the pay between the lowest-paid and the highest-paid public servant in the State is nothing more than in the proportion of 1 to 10, whereas in this country the proportion would work out to 1 to 50. Such being the case, Sir, it is in the interests of this province that whenever we have an opportunity of trying to see that the expenses of administration do not multiply, that we should use that opportunity for achieving this end and not feel ourselves satisfied with the satisfaction that since so many things are being allowed, why not this also. Judging from the poverty of the country, Rs. 1,000 per month is a reasonable sum and I have every reason to hope that this amendment will be carried in this Council."

* Mr. P. Anjaneyulu :—"Mr. President, Sir, I thought that the Government when it put the salary at the high pitch of Rs. 1,500 a month had not any particular individual in mind whose services were required as Secretary for this Commission and who would not be prepared to serve as Secretary unless at least that sum was given to him. I did not expect the Government to have bargained with the intelligentsia of the land for the post of Secretary and that intelligentsia refused to serve for a less sum. I fail to understand, without repeating the argument of my hon. Friends, why the Government should not have said that they would pay only a thousand, why they could not accede to this small amendment. They are not particularly interested in seeing that the salaries of the Secretaries are put at a very high rate in the interests of efficiency, for there is no reason to despair of getting proper men for a salary of a thousand rupees a month. That being the case, I appeal to the hon. Member in charge whether he cannot make up his mind to accept this amendment."

Sriman Biswanath Das Mahasayo :—(Rising to speak).

* The hon. the President :—"The hon. Member as the Mover of the amendment has no right of reply."

* Mr. L. K. Tulasiram :—"Mr. President, Sir, after all the request that has been made in the amendment moved by the hon. Member from Ganjam is only to reduce the salary of the Secretary of the Commission from Rs. 1,500 to Rs. 1,000. Sir, it will be admitted on all hands that the duties of the Secretary to the Commission will not be more onerous than those of the Secretary to our Council who has to manage with nearly 132 members. And the salary that we are giving to our Secretary is I understand—I am speaking subject to correction—a maximum of Rs. 1,000. Sir, this country is admittedly very poor and people outside this House are really watching the proceedings of the Council eager to know whether their representatives whom they have sent here after a great deal of difficulty and expense really safeguard the interests of the *plebes* or whether they are helping the administration to squander the resources of the country, slender as they already are. I wish, in this connexion, to draw the attention of my hon. Friend Mr. James representing the European group and always speaking on their behalf—I have great respect for him—to the fact that even in very big firms of the City they do not employ Secretaries on Rs. 1,500. The highest salary that they may be paying in the biggest of mercantile firms to the Secretary who should be doing more work than the Secretary to this Commission is nothing more than a thousand rupees. I appeal to the hon. Members of the European group

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who are supposed to be disinterested and not to take sides one way or other to come to our rescue and see, if our demand is right, that they vote in favour of the amendment. Sir, if the Government are really well minded, if they are generous, if they are really sincere in all their actions, they will not raise the slightest objection to this amendment. But what is the attitude of the Government as we find it? When they catch a fox, their attitude is to persist in saying that it has three legs. We want them to change that attitude if they really want to have co-operation from this side of the House. It is equally incumbent on their part to co-operate with us when we are prepared to meet them. Without saying much, I think that it would be very generous on the part of the Government to accept the amendment.

"Again, Sir, taking the question of pay and pensions, our suspicion, when they are putting the salary of the Secretary to a maximum of Rs. 1,500 is that the place will go to a retired servant of Government who will be enabled to draw a fat pension and go home to enjoy in the shades of Lancashire or Yorkshire. It is also another reason why we feel obliged to curtail the salary, so that the post may go to a son of the soil who will be true to the salt that he eats and remain here.

"With these words, Sir, I have great pleasure in supporting the amendment so ably moved by my hon. Friend from Ganjam which I expect the Government will have the wisdom to accept."

* The hon. the PRESIDENT :—"The question is—

'*That in line 3 the words "and five hundred" be omitted.*'"

The amendment was put and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, S. Satyamurti.
5. ,, J. A. Saldanha.
6. ,, G. Harisarvottama Rao.
7. ,, C. S. Govindaraja Mudaliyar.
8. ,, K. Abdul Hameed Khan.
9. ,, L. K. Tulasiram.
10. ,, K. V. R. Swami.
11. ,, D. Narayana Raju.
12. Dr. B. S. Mallayya.
13. Mr. K. R. Karant.
14. Mr. P. Anjaneyulu.
15. ,, C. Obi Reddi.
16. ,, C. Ramasomayajulu.
17. ,, T. Adinarayana Chettiyar.
18. Sriman Biswanath Das Mahasayo.
19. Mr. A. Kaleswara Rao.
20. ,, K. Uppi Sahib.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. V. Krishnaswami Nayakar.
23. ,, C. Venkatrangam Nayudu.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. Diwan Bahadur R. N. Arogyaswami Mudaliyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A. Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. Mr. S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manikkavelu Nayakar.
17. ,, Syed Tajudin Sahib.
18. ,, Abdul Wahab Sahib.
19. ,, H. B. Ari Gowder.
20. ,, J. Bhimayya.
21. ,, P. J. Gnanavaram Pillai.
22. ,, Mahmud Schamnad Sahib.
23. ,, J. Kuppuswami.
24. Subadar-Major S. A. Nanjappah Bahadur.
25. Mr. T. M. Narayanaswami Pillai.
26. ,, M. Gangadhara Siva.

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Noes—cont.

27. Mr. V. I. Muniswami Pillai.
28. ,, W. P. A. Soundarapandian.
29. ,, S. Subrahmanya Moopanar.
30. ,, S. Venkiah.
31. Rao Sahib R. Srinivasan.
32. Mr. C. E. Wood.
33. ,, A. J. Leech.
34. ,, F. E. James.
35 ,, R. J. C. Robertson.
36. ,, H. F. P. Hearson.
37. ,, S. N. Dorai Raja.
38. ,, S. Arpudaswami Udayar.
39. ,, G. Premayya.
40. ,, C. Gopala Menon.
41 ,, B. Ramachandra Reddi.
42. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
43. ,, Sir A. P. Patro.
44. Diwan Bahadur P. C. Ethirajulu Nayudu.
45. Mr. P. T. Rajan.
46. ,, T. K. Chidambaranatha Mudaliyar.
47. Rao Sahib S. Ellappa Chettiyar.
48. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
49. Mr. Khadir Mohidin Sahib.
50. ,, T. M. Moidoo Sahib.
51. Rao Bahadur B. Muniswami Nayudu.
52. Mr. K. Sarabha Reddi.
53. ,, V. Ramji Rao.
54. ,, A. V. Bhanoji Rao.

Neutral.

1. The Zamindar of Seithur.
2. Mr. K. R. Venkatarama Ayyar.

Ayes 25. *Noes* 54. *Neutral* 2.

The amendment was lost.

Clause 6 was then put, passed and added to the Bill.

Clause 7.

3-15 p.m. Mr. S. SATYAMURTI :—" Sir, I move—

'*that clause 7 be omitted*.'

" I have been considerably encouraged in moving this amendment after the speech of my hon. Friend on behalf of the European group. I know they are a small number but their influence is so much that if they support a motion from this side the Government would be unable to have a strong case against the acceptance of this amendment. Sir, apart from the arguments that I have already advanced, I have no desire to speak. But may I point out, Mr. President, one practical difficulty ? Clause 7 of this Bill says :

' It shall be lawful for the Commission and it is hereby empowered to employ such persons as it may deem necessary and incur expenditure for such employment as well as for contingencies, supplies and services and for other expenses connected with its work, up to an aggregate sum of Rs. 1,000 per mensem.'

" I should like to know, Sir, on what basis this figure was arrived at. I do not know whether this is a mere arbitrary figure because it is a round sum just Rs. 500 less than the Rs. 1,500 provided for in the previous clause. Supposing the Commission finds that they have to spend Rs. 1,001 they will have to come to this House to amend this statute ; is it seriously suggested as a business proposition that with regard to the expenses of a Commission whose activities we have no clear conception of, we should ask this House to provide that they shall not spend more than Rs. 1,000 unless they get this House to amend this statute by means of an amending Bill ? It seems to me that so far as this clause is concerned, it must be obvious to every hon. Member of this House that they may not treat this clause as affecting the independence of the Commission. One of my hon. Friends suggested that the omission of this clause may affect the independence of the Commission. Without agreeing with him on that matter, I would suggest that an amendment of this character would not affect its independence in any matter. The powers of this Council extend to the establishments of the High Court and even His Excellency's establishment. I would say one word, Sir, to the hon. the Floor Leader of the Justice Party to consider this point. They have

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been fighting for communal justice. Now, Sir, this Commission once it is appointed, should administer communal justice according as they please, and whether they are administering it well will depend upon the popularity of the Commission, not on its personnel. Supposing it is the Malayali that is at the head, there will be a cry for Malayalization; if it is an Andhra, for Andhraization; if it is a Tamilian, for Tamilization, if it is a Muslim, for Muslimization, and so on. In such a case, do you or do you not think it necessary that at least once a year this Commission and its work should come before this House at the time of the Budget, so that this House may generally express its views on this question of communal justice, so that this administration should not depend on the individual whims and caprices of the Members of the Commission or on the Members of the Treasury Bench for the time being in office. So, Sir, I submit that this particular amendment is very necessary. I would not have pressed it if the Commission were wholly independent of the Local Government. My hon. Friend knows that this Commission's life is at the mercy of the Local Government. This Commission is appointed by the Local Government. Much as the Commissioners may feel or the Government may think that the work is well managed, human nature being what it is, they are likely to have their own whims or are likely to be influenced by the possible views of the temporary occupants of the Treasury Benches. Is it not therefore open to this House to have some check over the activities of this Commission by means of this annual review at Budget time? I venture to add, Mr. President, no other means of controlling the activities of the Commission will be effective. Merely placing the administration report on the table of the House or a similar provision will not be of any use. It is only at Budget time that it can be effectively controlled. It is only then that the Treasury Benches would be anxious to see that they do not go to the Governor for certification, and would therefore try to accept our suggestions. I speak from experience in this matter. I therefore move this amendment for the acceptance of the House."

* Mr. G. Harisarvottama Rao:—" Mr. President, Sir, in seconding this amendment I desire to draw the attention of hon. Members of this House through you to the fact that it is after all with reference to the establishment and the contingencies, supplies and services. We have a precedent in this House in regard to establishments where absolute impartiality is expected. I am referring to the provision for the Judicial services that is a part of the votable budget. In like manner, there will be nothing particularly wrong in keeping some amount of control for this House over the least important part of this Commission's expenditure. To that extent, Sir, there should be no objection from any bureaucrat whatever. We have had the establishments of the Secretariats on the Budget. The Judical services, and the establishments of the Judicial services are on the Budget. They are all votable by this House and on that analogy there can be no objection to this item being made votable by us. Therefore the deletion of this clause does no harm to this Bill whatsoever. Now, Sir, to speak of the absolute separation of this Public Services Commission from the purview of this Council does not stand well with the advocates of the Government. The Government has not been able to place before us such a Bill as would absolutely rid the Executive Government of responsibility for the conduct of the Commission. It is not even the Local Government that appoints this body. It is the Governor in Council who is a part of the Local Government that appoints this Commission. Therefore the Transferred part of the Government is excluded even from the

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appointment of this Commission. So that, under this Act, it cannot be contended that the Executive Government has absolutely nothing to do with this Commission. Therefore it is necessary that this House should have some control, some voice in the management of affairs by this particular body. Moreover, with regard to the contingencies, the supplies and services and such small items like these, such miscellaneous items like these, which cannot be worked out in any accurate measure, it is not right that any expense be allowed to be incurred without the sanction of this House. I feel therefore, Sir, that this amendment should be supported without any dissentient voice."

* Sriman BISWANATH DAS Mahasayo :—" Mr. President, Sir, clause 7 proposes to keep the legislature from any interference on its part in the appointment of the staff, that is, the clerical staff. Sir, it is unfair on the part of the Executive Government and also of the hon. Members who sat on the Select Committee to have excluded by means of this clause even the appointment of the officers and the provision of money for contingencies. His Excellency the Governor is above all parties and yet this hon. House year after year discusses all questions and grants relating to the household of the Governor, so far as his servants and contingencies are concerned. What then is the reason why this most fortunate Commission should have a statutory provision excluding all interference on the part of the legislature even to vote the grants necessary for its contingencies and office establishment? Again, Sir, the High Court is above all party politics, but still this hon. House discusses all the pay of the officers as also the contingencies necessary for it. Is it seriously contended on the part of the Government or any other party in the House that we have ever abused the powers that have been conferred on us by the Government of India Act on such questions? Sir, this House, after all, forms governments and drives out governments from office. That being so, is there any reality in the name of autonomy or self-control or self-government, if we exclude by means of the Statute these small matters because you have a got-up majority in the House or because the Government could hope to have a majority in this House. Sir, if such things are persisted in, it is practically a denial of any Government, not to say self-government, on the part of the Government to the hon. Members of this House and to the electorate.

"Then, Sir, even from the point of view of economy, could any hon. Member on the floor of this House say that the Public Services Commission wants Rs. 1,000 only, but not a pie more or a pie less? Suppose it wants a pie more; has it not to come to the legislature for it? Why then, this limitation? Soon after the constitution of the Commission, it may not at once require Rs. 1,000. Why then should they have Rs. 1,000? It is very unfortunate that the Executive should try to exclude the legislature in all its activities and take statutory powers. Sir, I deplore the mentality both of the Executive and of those who support the Executive in this matter. My hon. Friend, Mr. Muniswami Nayudu, in whom I have full confidence, nods assent. I would ask him to give his vote, not only his but that of the other members of his party for the amendment."

3-30 p.m. * The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I am afraid I must oppose this motion, as it cuts at the root of the principle which the Government have embodied in this Bill. The object is to create a Commission which shall be independent of the Government of the day, and with that object we have created this independent body, and it is proposed that they

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should have certain grants to provide for their own pay, the pay of the Secretary, for the pay of their establishment, for their office and other expenses. If this clause is deleted, it will mean that they would be dependent on the Government of the day for their office staff and for other expenses, and that would not make this body as independent of the Ministry as it is proposed to make it by this provision. Some hon. Members appear to think that the Legislative Council ought to have opportunities of discusssing the doings of this commission in the course of the budget debate. But, my experience is that during the budget debate the discussion of any particular item has to be very much curtailed. If it is desired to have a discussion of the functions of the commission, it could be done by a resolution or by a motion for the adjournment of the House. It is always possible at any time for this House to express the general feeling in the country, when the commission is not doing its duty properly, and it is open to the members of this House to move a resolution recommending that the Chairman or a particular member of the commission should be removed from it. (Mr. C. S. Govindaraja Mudaliyar: 'A doubtful remedy'.) It will be on rare occasions that action would have to be taken against the commission, and it should be regarded as a very serious matter. For this reason, Sir, it is very essential that the commission should be made as independent as possible of the Ministry for the time being."

Mr. K. R. Venkatarama Ayyar :—"Mr. President, Sir, I have listened to the justification for the retention of this clause on behalf of the Government from the speech of the hon. the Revenue Member. The only point he seems to make is that in order to leave this commission really independent, which everybody desires it to be, it is necessary not only to keep the salaries of the members of the commission and the salary of the Secretary non-votable but also to keep the salary of the establishment under the commission non-votable. I think that is really a plea for leaving this commission entirely outside the range of reasonable criticism. It is one thing to say that this commission has really to be independent, independent of the executive government of the day; it is quite another thing to claim for this commission entire immunity from the responsibility it has to the people of the province as represented by the electorate and the elected representatives sent to this Council by such an electorate. That is asking for autocracy on the part of a commission, and on what ground do you claim such autocracy? It is a commission which is entirely the creature of the executive government of the day. In ultimate analysis, what does it come to? It comes to this; though the executive government of the day, which will consist of Ministers from the elected representatives of this House, must be subject to the criticism of this House in respect of its other doings, so far as the Public Service Commission is concerned, the commission must be an uncontrolled creature subordinate entirely to the whim of the executive Government of the day. I think it is much too large a proposition, that it has only to be stated to be refuted. I do not think the plea made by the hon. Revenue Member is really a good one. On the other hand, it is encouraging the opposite principle. When we were discussing clause 6, even the European group represented by Mr. Hearson, took sides and was really in favour of a more reasonable section of this House in respect of this point. Now, after the European group has thrown the weight of their votes in our favour, to see the Government Member still sticking to his own view

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is, I think, really to challenge this House into a fight as between the bureaucracy, pure and simple, on one side and everybody interested on the popular side on the other. Now the challenge is there, and I leave it to the House to solve it."

* Mr. H. F. P. Hearson :—" Mr. President, Sir, I regret to say that my Colleagues and I are not convinced by the arguments of the hon. the Revenue Member that the retention of this clause is of fundamental importance to the Bill. We are still of opinion that it is highly desirable that this Council should have an annual automatic opportunity of discussion and criticism of the working of this Commission, in the same way as the Council has of discussion and criticism of the working of the High Court, and we are therefore of opinion that this clause should be omitted in order that the salaries of staff, other than the Secretary, should be votable, and should therefore automatically come up for the consideration of this Council.

" I therefore have pleasure to support the amendment."

* Rao Bahadur B. Muniswami Nayudu :—" Sir, I am really surprised at the solicitude shown by my hon. Friend Mr. Satyamurti with regard to the claims of communal justice. He thinks, that when the vote for this establishment comes year after year before this Council, such claims can be considered. The fact that that argument is put forward by my hon. Friend makes me suspect that there is something more behind the amendment than what it is said to be. Sir, in section 12 of the Bill, it is stated that the Public Services Commission should pay regard to the rules made by the Government from time to time in regard to the classification, recruitment and other matters. That is a provision to which my hon. Friend took strong objection in his opening remarks when he moved the adjournment of the consideration of the Bill itself. Now, if it is to continue there and if the policy of the Government is to make proper rules from time to time, that is a sufficient safeguard, and that will be a provision which will satisfy all claims. But, as my hon. Friend wants that this provision should be repealed and should not form part of the statute, then the only way that provision becomes open to a debate in this House is when the provision for establishment is brought to the vote of the House from time to time. Does he really and sincerely think that it will conduce to the efficiency of the services if the question on what principles the services should be recruited should be discussed on the floor of this House and should be left to be changed according to the vote of the majority party at the time? The effect will be that the discussion every year would rather go against real justice being secured for various communities. On the other hand, it will tend to these principles being varied from year to year and being dependent on the wish of the particular Council, probably, my hon. Friend is counting upon a possibility of the Swarajists or his party coming out in a majority in the next elections. I submit, Sir, that a provision of this sort is necessary. Again, when the maximum of a thousand rupees, which is now provided under this clause is found insufficient in future, it will be time then for this Council to take a review of the working of the commission.

" Again, Sir, I understood the hon. the Revenue Member intends to move an amendment that a report of the work of this commission should be submitted once a year. At any rate, that is what I thought to be his intention when I talked to him. If an amendment of that sort is introduced, it

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will give ample opportunity for this Council to discuss the work of the Commission from time to time. With regard to the present Staff Selection Board there is no such provision, and yet this Council is able to discuss questions connected with the Staff Selection Board. So, that kind of debate can always be raised in this Council with regard to the Public Services Commission. I think, in these circumstances, this provision is necessary."

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I am surprised at the way in which my hon. Friend, Mr. Muniswami Nayudu, has argued his point. The astute lawyer that he is, he wants to give a plausible colouring to his arguments to reach the wrong conclusions he draws. He says it is the Government that should have the upper hand in framing rules and not the Council. That seems to be the gist of his argument, and he supports his statement by saying that if it is the Council that controls these things, it may be the Swarajists that will be in greater numbers, and therefore its persuasion will colour the proceedings and rules. Sometimes if the 'Justice' men are in the majority, it will be the same, and therefore there will not be fixity of rules. But what about the Government? The Government, according to him, and we also hope, will be a more democratic Government. If the Government is by party system, when the Swarajists are in a majority, it will be a Swarajist Government; when the 'Justice' party are in larger numbers, the Government will be a 'Justice' Government. Does not his argument apply to the Government also? Then, why should there be any difference, why should there be any wrangle over this question? The difference is this. If according to him it is the Government that is making the rules, the publicity of the rules which is available when they are submitted to the scrutiny and decision of this House, will not be available. Whether the Government consists of Swarajists or any other party, if they should be left a free hand in framing the rules, I think those sanctions, that fear of public opinion, that freedom of discussion which will be available and which the traditions of this House, and which the House as it may be composed hereafter, will keep on the same high level, will not be available, if this power is left only to the Government to make these rules. That is the difference which I want to point out to my hon. Friend from Chittoor and to other hon. Members of the House. Having this difference in view and seeing that the Government in future will be also a party Government, I fail to understand what we lose by getting the sanction of this House and having the opinion of the public behind it in framing the rules if we are honest in our purposes and if the Public Service Commission is really to be public, serviceable and a Commission."

* Mr. A. KALESWARA RAO :—" Mr. President, Sir, I am surprised to hear the argument of my hon. and learned Friend, Mr. Muniswami Nayudu, who is an advocate of communal justice, saying that the power in the hands of the Government would be better used for communal claims than in the hands of the Legislative Council itself. He says that the day might come when the Swarajists would be in power. (Mr. P. Anjaneyulu: May it be.) May it be so (Laughter). Let us assume that the Swarajists are against communal justice. Then, would it not be better for him that the question should be considered in this House which will consist of all parties, though the Swarajists may be the dominant party and may be occupying the Treasury Benches, would it not be better that questions like these should come before the Council, which will necessarily consist of Swarajist and non-Swarajist groups, and be

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settled and decided by the Council than by the Government itself which will consist of only one party, namely, the majority party? Therefore, his argument is flimsy on its face.

"This Bill provides for a double autocracy, the autocracy of the Government over the Commissioners and the autocracy of the Commissioners in having their own secretariat establishment and spending money in their own way. I do not know why the Government is indulging in this kind of machinery of double autocracy? This Bill has no parallel, because the Public Service Commission in England does not enjoy immunity from the vote of the Parliament, nor is money provided for it to be spent as it pleased, nor has the Public Service Commission appointed by the Government of India similar powers. Therefore, this Bill has no parallel, and it is only the unique intelligence of this Government that provides for such double autocracy. So, I consider that this amendment is quite necessary."

3-45 p.m. * Mr. S. N. Dorai Raja :—" Mr. President, Sir, the object with which the Government is instituting this Commission is to make it independent, as my hon. Friend the Revenue Member stated, of influences of politicians. If its establishment are to be subject to the vote of this House, it would be defeating the very object, and would place its activities under the influence of this Council. The analogy drawn by my hon. Friend Mr. Hearson between the High Court and the Public Service Commission is fallacious. In the first place the High Court is not a Public Service Commission dispensing communal justice. By the very nature and constitution of the High Court no criticism by the Council has any the slightest influence on the dispensation of justice; it is there to dispense unadulterated justice to all classes. Therefore to say, because the doings of the High Court are subject to the criticism of this House, so the Public Services Commission should be under the influence of this Council, is fallacious. Therefore this clause should be retained."

* Mr. D. Narayana Raju :—" Mr. President, there are certain very good reasons why the Council should have a voice over the establishment of this Commission. There are certain sections in this House that can never be represented in the Ministry of the day. For instance, there are the depressed classes, the Muslims and others, and these communities can never be in a majority nor can they expect to form their own Ministry or Executive Council. The Government of the day would represent the view of the majority party. Therefore, all those groups can be represented only in this House and not in the Government of the day. And if their views are to be reflected with regard to the doings of the Commission that can only be done by a discussion on the floor of this House.

"The Services Commission is not entirely independent as pointed out by the Mover and several other speakers; it is entirely dependent on the Government of the day; it can be removed by them at any time; it has to go according to the rules framed by the Government of the day. It will be entirely in the hands of the Government. When that is the case, there ought not to be any objection to giving this House an opportunity of discussing the conduct of the Commission once a year. If that right is taken away there will be no other regular opportunity. Therefore, it is highly necessary to afford to all those groups who cannot be represented in the Government of the

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day an opportunity of expressing their views with regard to the conduct of this Commission by making its establishment votable, and so this clause should be deleted."

* Mr. C. S. Govindaraja Mudaliyar :—" Sir, it is difficult to understand the tenacity with which Government wants to cling to this clause. It is a well established maxim that the actions of bodies should be tested year after year by discussions in this House. The hon. the Revenue Member has put forth two pleas ; one is that the conduct of the Commissioners should be reviewed on a resolution moved and adopted by this House. He conveniently forgets the fact that a resolution has first to be tabled and it has to run the chance of a ballot. And we know how many resolutions that are tabled each session are reached. In some cases, only four or five are reached and the rest never see the light of day for all time. Then with regard to adjournment motions, we have had experience which I need not in any way describe. Adjournment motions depend on so many circumstances, there must be urgency, it must be a matter of importance and so many other factors ; lastly, there is every chance of its being vetoed by His Excellency the Governor. Therefore it is a fallacious argument on the part of the hon. the Revenue Member to say, 'your power of dealing with or discussing things done by the Services Commission is there which can be exercised through resolutions and adjournment motions'. We must be thankful to the hon. Member Mr. Hearson for pointing out a direct and immediate example in the case of the High Court. The personnel of the High Court is undoubtedly beyond the criticism of this Council, because they hold their positions under letters patent from His Majesty. Yet their doings are subject to criticism only when their establishment is being voted by this Council. It has been our experience in this Council that a number of cut motions have been tabled on various occasions in regard to the High Court, and while that august body is subjected to the criticism of this House, which is after all the holder of the purse of this province, I wonder why the Services Commission which is going to be instituted should be made sacrosanct, and there is no reason why their doings should not be subjected to criticism in this House by making their establishment votable.

" My hon. Friend Mr. Muniswami Nayudu wanted to side track the issue by bringing in the communal question. I am afraid it is like drawing a red herring across the issue before the House. That has nothing to do with this question. Whichever community may be in power, the doings of the Commission are entirely independent, which can bear examination irrespective of the communal aspect. Therefore there is not much force in the long drawn out arguments of my Friend from Chittoor.

" In these circumstances, the Government have not made out a case for exempting the doings of this Commission from annual inspection by this House. It is up to this Council to adopt the amendment and reject this clause 7."

* Mr. K. V. R. Swami :—" Mr. President, I cannot understand the objection raised my hon. Friend Mr. Muniswami Nayudu. Does he mean to say that this Commission should not know how its actions are being viewed by a responsible body like this Council ? Should they go on without any assistance from this Council whatsoever ? Supposing in making the selection they go against the interest of the people or act in a way which is not commendable to this House, would it be too much for this House to make a

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statement to that effect? My Friend thinks that at every budget a motion would be brought against the expenditure that may be required for the Commission and under that head we may be discussing the whole thing. We may discuss but we cannot change the rules in a budget motion. We can only express our views regarding their action. For instance, if the High Court has not been disposing of suits or appeals speedily, we are from time to time permitted to say that the work must be more speedily done and all that. We cannot go and say that the High Court should change certain rules, and the change must be in this or that way. It is a very useful thing that this House should have the right of expressing its opinion with regard to the actions of the Commission. As stated by my hon. Friend Mr. Narayana Raju it is not possible for every party in this House to be in the Ministry. More parties likely to be outside the Ministry or outside any influence whatsoever.

"We have been saying from time to time whenever an occasion comes, that there is no Muslim representation in the High Court, that the depressed class people are not given a chance, and so on and so forth. Even so, with reference to this Commission, the authorities must take note of our criticism if it is proper and regulate their action according to the general wishes of the people. In this there are certain rules laid down. Suppose those rules are not observed; for instance, one of the rules says that we should have five Hindus, two Brahmans and so on; suppose that members of a particular community are always selected by the Commission and others are neglected. They may be satisfying the rule, but it may not be liked by the people. This House has a right at that time to say that the Commission should look to the interests of other people. For instance, the depressed people would include converts to Christianity and they may not get proper representation. There is then chance of pointing out the defect which can be rectified by the Commission. The hon. the Revenue Member should not try to deprive the House of all its powers and say, 'I have pointed out other methods by which you can attack the Commission'. It is not the case of the hon. the Revenue Member that this House cannot attack the Commission at all. But he points out two ways of attacking the Commissson, one by a resolution and another by amendment or something like that, and says that we can always question the conduct of the Commission. That will be taking a step which will not be useful. Budget time is the time when you look into things and if you have got any grievance under any head you can only table a motion and express your views. My hon. Friend Mr. Muniswami Nayudu thinks that Mr. Satyamurti is against clause 10, and so he must support this motion. I am not quite satisfied with his argument; there is no motion at all to omit clause 10. Clause 10 is a necessary thing; nobody objects to it. No amendment is given to omit clause 10. It is there, so he need not be frightened.

4 p.m. "We are losing a very vital weapon which is always available to this House. This concerns all parties and not this party or that party only. Further our criticisms would be of good use to the Commission itself. From the criticisms of this House concerning the actions of the Commission they can see whether their actions are appreciated or not appreciated and whether they are doing their work properly or not. They are a responsible body and as such ought to tolerate criticism which is intended to call attention to any irregularities there may be."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I would with your permission appeal to the hon. the Revenue Member to take a detached view of the whole matter. The House will remember, Sir, that I was anxious

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that this question of the appointment of and the administration by the Public Services Commission must be above the influence of the Ministry. To me, Sir, it is not so much as to what the Ministers may or may not be able to do and how far they would be able to influence the Public Service Commission in the matter of appointments, but as to how far it would help the helpless minorities in this House. Sir, if the Ministry is worth anything at all, it would surely find ways and means of influencing the Commission and get its purpose achieved. It is not with reference to that that I want the hon. the Revenue Member to consider this. I have in view the minorities whose interest might not be adequately represented or protected by this Commission. For example, one rule says: If there is no competent member of the depressed class community to take up an appointment, they could pass over to the next community in order, and give the appointment. The depressed class men on the other hand may assert that among them there are competent men to hold the appointment and that their claims have been unjustly passed over. Where, I ask, is the opportunity for them to place their views? It is idle to say that the budget will always be taken advantage of for unnecessary discussion on these matters. How often, Sir, have we criticized the action of the High Court and threatened to cut down all their establishments? That threat was made only once and that was in the first year of the reformed Council. Therefore this fear is unfounded. Further, more often than not, we never reach such demands. That has been our experience. Therefore, I think in the interests of the minority communities who otherwise have no chance of protecting themselves, this clause must be deleted.

"In this connexion I would like just to say how some of us who wanted that this matter might be regulated by an executive measure instead of by a legislative enactment were subjected to cheap criticism. Our reason for making that proposal was that if our suggestion had been accepted and the Commission had been appointed by an executive order, the Council would have an opportunity of criticizing its actions and thus create in them a wholesome fear of not doing things very wrongly. In that view I think this amendment should be supported."

* The hon. Sir THOMAS MOIR:—"Mr. President, I think it is a pity that this question has centred round the trivial question of the appointment of the subordinate staff of this Commission. If it were a question of such vast importance to Members of the House to have control over the actions of the Commission, I should have expected them to claim control over the appointment of Secretary. But the House has already accepted the position that the Secretary should be appointed by the Commission and that his salary should be non-voted. Such being the case, it ought to be a matter of indifference to the House whether the Commission has or has not power to appoint a few clerks and servants and pay them without further sanction of any other authority. But we are of course not discussing the question as to whether the Commission should have the power to appoint its servants or buy their own stamps or stationery.

"The question really is whether this House should have an opportunity annually to discuss the operations and doings of the Commission. I feel sure that such a question cannot appropriately be raised and made to centre round the salary of a few low-paid clerks. If the House feels that such an opportunity ought to be given to it or if a section of the House feels at any time that

it has a grievance as regards the actions of the Commission and should have an opportunity to consider the operations of the Commission during the past year, I think it would be much better that, as we do in the case of the Report of the Public Accounts Committee, we provide that the Commission should make a report annually and that that report shall be placed on the table of the House for the consideration of which, irrespective of any resolution on the subject being successful in the ballot or not, a day shall be set apart. I think that that would be a much more reasonable and suitable means of attaining the object which the House has really in mind."

Mr. S. SATYAMURTI :—" Where is that provision ? "

* Mr. P. C. VENKATAPATI RAJU :—" Mr. President, I am surprised to hear the hon. the Finance Member saying that the object of this motion is to have control over some clerks of the office of the Commission at the time of the discussion of the budget. He is quite aware of the fact that by a token cut even with regard to any establishment of any department, it has been the practice, year after year, to review the administrative and other acts of the department concerned. It is for the purpose of reviewing the action and conduct of the Commissioners who are proposed to be appointed under this Bill that this provision is proposed to be deleted. As was pointed out by Mr. Ranganatha Mudaliyar this motion is intended to get a hearing for the minority party. Of course we all know that a majority party can have its way without deleting this provision as it is well known that the majority party are ruling even the reserved and other departments of Government, but it is entirely outside the scope of this Council. Therefore, Sir, the object of tabling this motion is to enable the House to have an opportunity to draw attention to the conduct and work of a body created by it. Sir, even though according to the Delegation Rules passed by the Secretary of State the Legislative Councils may be allowed to have some control over this Commission, this Government have thought it best to make it a pseudo-independent body while certainly in effect and in fact, it will be a department of the Government."

Mr. F. E. JAMES :—" Mr. President, Sir, we have listened to the hon. the Finance Member who has made a valuable suggestion for a compromise on this particular point. But before dealing with that suggestion, I should like to say that I entirely sympathise with the attempt to make the Commission a non-political body. With that object we cannot but sympathise. On the other hand there are two points emerging from the discussion. In the first place I do not entirely share the apprehension that political influences will be brought to bear on this statutory body if a certain amount of money has to be voted for its expenses. Sir, we are legislating for the future and not for the next few years only."

* The hon. the PRESIDENT :—" Order, order. I did not want to intervene at this stage of the discussion ; but a careful examination of the Bill shows that there is no provision in the Bill stating that all this expenditure shall be met from the provincial revenues. Therefore this debate seems to be irrelevant. The debate would be relevant only if there was a provision in the Bill that the expenditure shall be met from the provincial revenues. Of course it may be a drafting oversight, but all the same, any discussion as to whether the expenditure will be included in the budget or not will be irrelevant in the absence of that provision."

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Mr. C. V. VENKATARAMANA AYYANGAR:—" For all the appointments made by the Provincial Government, the expenditure is met from the provincial revenues."

* The hon. the PRESIDENT :—" But they have not made any provision to that effect."

* Mr. F. E. JAMES :—" If there is no statutory provision for this expenditure to be met from provincial funds, this particular clause is useless. (Mr. S. Satyamurti : 'Hear, hear.') In any case, whether from provincial or central finances provision will have to be made, and we think that, on the whole, the budget time is the best opportunity for reviewing the action of the Commission.

" Coming to the suggestion of the hon. the Finance Member which I understand to be that there should be an annual report of the Commission and that there should be a statutory obligation on Government's part to place that report before the legislature for criticism, we think, that it would be better for this House to have an opportunity for discussing and reviewing the actions of the Commission during budget debate."

Mr. ALLADI KRISHNASWAMI AYYAR :—" Mr. President . . ."

* The hon. the PRESIDENT :—" Is it a point of order ?"

Mr. ALLADI KRISHNASWAMI AYYAR :—" No."

* The hon. the PRESIDENT :—" Mr. James will continue his speech."

* Mr. F. E. JAMES :—" I was saying that it would be advantageous to the House if there could be given an opportunity by means of a token cut to criticise the work of the Commission in detail. This could not be done on a general discussion on the annual report of that body. In budget discussions, by means of a token cut, criticism can be directed to specific matters.

" Therefore on the whole, while considering what the hon. the Finance Member is prepared to concede, namely, that the Legislature should have power to criticise—and it is a great concession—we would ask him to explain as to why he opposes the amendment to omit clause 7 ? So far we have not heard anything on this point and though we are still open to conviction, we have heard nothing so far which would induce us to change our minds." 4-15 p.m.

Mr. ALLADI KRISHNASWAMI AYYAR :—" With regard to the point raised by the hon. the President that the terms of the Bill do not provide for salaries and expenditure of this Commission being paid from provincial revenues, no doubt a permanent section might be introduced but there can be no doubt . . ."

The hon. the PRESIDENT :—" The hon. the Advocate-General has not understood me properly. As far as I know, I do not see the relevancy of this debate and unless there is provision in the Bill that this expenditure will be met from provincial revenues all references whether it is votable or non-votable and so on appear to me to be irrelevant at this stage."

Mr. ALLADI KRISHNASWAMI AYYAR :—" Sir, I am pointing out that Members of the Government are entitled to proceed on the footing that it is

payable out of the provincial revenues. The way in which I put it to the hon. the President is this: Clause 5 reads 'There shall be paid to the Chairman a salary of three thousand rupees per mensem and to each of the other members a salary of two thousand rupees'. The clause is framed in the passive voice, viz., 'There shall be paid, etc. etc.' I ask who shall pay it? If for example the Local Government is the appointing authority and they are the removing authority and if there is a provision that 'there shall be paid, etc. etc.', I ask who else can it be except the Local Government?"

* The hon. the PRESIDENT :—"Under clauses 6 and 7 the Secretary and his staff are to be appointed by the Commission and therefore the liability to pay them is on the Commissioners who appoint them. In clause 5 I see there is an obligation on the part of the Government to pay them. But I am unable to see wherefrom these salaries will be met, either from provincial revenues or from where."

Mr. ALLADI KRISHNASWAMI AYYAR :—"The only reason that I put forward is that, because it is stated in the Bill that 'there shall be paid to the chairman a salary of etc. etc.', the Local Government has got power to meet it from provincial revenues. But I certainly think that it would be much more advisable if the Government were to bring forward a formal amendment."

* The hon. the PRESIDENT :—"If Government think that such a provision is necessary they may come forward with such an amendment. My only fear is that the whole of this argument will be repeated once again at that time. Therefore I suggest that, if the Government make up their minds to come forward with an amendment, we may stop the discussion on this point at this stage and when the amendment is introduced it will be the appropriate time for the House to debate on it. My province is to see whether the debate is relevant. As the provisions of clauses 6 and 7 stand, it appears to me that the whole of this debate is irrelevant. If the Advocate-General takes the responsibility of advising the Government that such an amendment is not necessary and such a provision will not be introduced, the House may proceed with the discussion."

The hon. Mr. A. Y. G. CAMPBELL :—"I propose to move an amendment later."

* The hon. the PRESIDENT :—"What does the Government propose to do? Do they want to proceed with the discussion of clause 7 and dispose it of as it is?"

The hon. Mr. A. Y. G. CAMPBELL :—"Yes, Sir."

Mr. S. SATYAMURTI :—"It is doubtful as to whether the Government itself is prepared to bring forward such an amendment or not, If they bring forward such an amendment, we do not know in what form they are going to bring it forward and whether you are going to waive notice. Therefore I suggest it would be unfair to this House if the Government want to discuss this matter at this stage especially when they have not made up their minds. So in view of these things and also in view of the statements that have fallen from your lips it is better that this business is postponed."

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* The hon. the PRESIDENT :—" On account of the difficulties of the Opposition if they and the Government agree for the postponement of this item I have no objection. But if the Government insist upon continuing the discussion, I will have to exclude all references to budget provisions. There ends my province."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I beg to move that the consideration of clause 7 be taken up at the end of this Bill."

Mr. SAMI. VENKATACHALAM CHETTI :—" Having regard to the fact that any reference to budget provision whether it is votable or non-votable becomes irrelevant from your point of view, as the wording now stands, does it or does it not fetter discussion and thereby place the House in a false position in deciding the merits of this clause ? Therefore I support the motion for postponement."

* The hon. the PRESIDENT :—" At this stage my only remark is that all references to the budget are irrelevant."

Mr. S. SATYAMURTI :—" May I ask for some light on that matter ? Does this clause mean that the Commission would pay out of its own pocket ? I humbly want to know what is the scope of your ruling. I think I am fortified by the opinion of the hon. the Advocate-General who is one of the foremost lawyers in Madras."

Mr. ALLADI KRISHNASWAMI AYYAR :—" With great respect, I submit, Sir, that when a doubt arises in a particular matter it is one thing to argue it in a court of law. But even according to the Bill as it stands, the necessary expenses must come from out of the provincial revenues. That is the intention of the Government but at the same time when a difficulty is pointed out it would be the duty of the Government to fill up the deficiency. I do not subscribe to the proposition that under the Bill as it stands the expenses cannot be paid out of provincial revenues. As regards the question whether this Commission is a statutory body and whether its salary should be paid from out of the provincial revenues, if I were arguing for the first time or if my opinion had been asked for in the first instance, I would certainly have come to the conclusion that it can be paid from out of the provincial revenues. But when a right point is put from the Chair and when it necessarily suggests to the Government to make up their mind as to whether they are going to bring forward an amendment or not, I would unhesitatingly advise the Government to put in some amendment to the effect that it shall be paid from out of the provincial revenues."

* The hon. the PRESIDENT :—" Before I proceed, I wish to have a statement from the hon. Member in charge of the Bill whether he wishes to propose an amendment."

The hon. Mr. A. Y. G. CAMPBELL :—" I propose to move an amendment that this expenditure will be met from provincial revenues."

* The hon. the PRESIDENT :—" On account of the statement made by the hon. Member in charge of the Bill any further references to the possible inclusion in the budget of items regarding expenditure under sections 6 and 7 are irrelevant."

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Mr. Alladi Krishnaswami Ayyar :—" On a point of order, Mr. President . . ."

Mr. Abdul Hameed Khan :—" Sir, you have already ruled that you would not allow discussion on that point. May I ask how the hon. the Advocate-General can make a submission on that ?"

Mr. Alladi Krishnaswami Ayyar :—" With regard to the point raised by the hon. the President, I wanted to say that by necessary implication the expenditure might be paid from out of the provincial revenues."

* The hon. the President :—" It is unnecessary."

Mr. S. Satyamurti :—" I beg to move—

'*that the consideration of this Bill be adjourned.*'

" Do this Government seriously say that when they brought forward this Bill they did not know their own mind ? Did the Advocate-General who is one of the best lawyers in Madras advise them to bring forward the Bill in this form or did he give the same reasons which he has just now given this afternoon ? If the hon. the Advocate-General had given advice, why did they not accept that advice and act up to it ? What guarantee is there that in tomorrow's Cabinet meeting in which the hon. Member for Revenue is one out of seven they would accept his advice and would allow him to bring forward an amendment of this sort ? I put it to the House very seriously, in legislating measures of an important character like this, whether we are not entitled to have their considered views which are not liable to be changed from time to time, either in view of the President's ruling or the chances of voting in this House. After all, any Government must know in regard to a Bill of this kind what its position is and it must stick to its position. Instead of that, the Government's position is this :—here is a Bill ; a Select Committee sat over it and the hon. the Advocate-General was also a Member in that Committee ; they deliberated and they sent a pompous report. You will see that they have taken a view quite different from the views we have put forward or the ruling which you have given, viz., the expenditure incurred under clauses 6 or 7 would be an expenditure which would be non-votable under section 72-D of the Government of India Act. Therefore the Select Committee has proceeded on the assumption that this is a non-votable item, so far as this Government is concerned. I am not quarrelling with the hon. the Advocate-General. Let him not imagine that we are holding him responsible. We are trying to find out who is responsible and who is not. Is it not the Government that is responsible for this ? He is after all an expert adviser of this Government. Did they force a Bill of this kind on the Legislative Council without knowing the ordinary implications of the two clauses 6 and 7 ? Moreover, Sir, hon. Members would have seen on the order paper the several amendments given notice of by the hon. the Revenue Member.

4-30 p.m. " Sir, what does it mean ? It means that at the stage when the Government published this Bill, at the stage they introduced the Bill, at the stage when it was considered by the Select Committee they did not make up their minds ; their minds are not steady up to the last moment. They want to go on tinkering with the Bill. We must teach a lesson to the Government. In a matter of legislation they must take this House seriously. We have long ceased to control them by questions or resolutions or motions of any

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kind. But when the Council is considering legislation of this kind, I think the time is come when we should tell this Government that we are business people, we are spending our time here and that they should take us seriously. The hon. Mover of the Bill said that he would move amendments, that it will take time is abundantly clear. It is the duty of the other side to have consulted their advisers on these points. The Government have brought forward this Bill before settling these points They have got the most expert advice; why should they not take their advice? I think, Sir, that this House is not prepared to tolerate this laxity on their part."

* Mr. C. V. Venkataramana Ayyangar :—"Sir, I second the motion. I want to adduce one or two reasons. You have ruled, Sir, that until the amendment is brought forward. . ."

The hon. the President :—"The hon. Member in charge of the Bill has said that it is necessary to move some amendments to the Bill. I have already said that it would be irrelevant to refer to the point, at this stage, that the amount of money proposed to be spent on this Commission is not included among the votable items in the budget."

* Mr. C. V. Venkataramana Ayyangar :—"That is all the more powerful reason why we should stop further discussion on the Bill at this stage. We are precluded by your ruling from dealing with a very important point. We do not know whether the expenditure in connexion with the appointment of the Commission will be votable or not. Since we are precluded from speaking on that point, the result will be that the clause will be passed as it is. Supposing the Government bring forward an amendment to-morrow, we may have to further amend the amendment and if that amendment is carried what is the use of passing this clause now? Further consideration of this clause and some other clauses may be postponed and the hon. the Advocate-General may bring forward necessary amendments. The most important point I wish to urge is that, if this clause is passed, we will have to move amendments that either the Commissioners, or the Legislative Council Members will have to pay out of their pockets the money required for the appointment of this Commission. Certainly we would not like that amendments should be brought forward at the last moment and that we should be precluded from speaking on them. It will be necessary for us to move amendments to those amendments. This is an important point which will have to go to the Cabinet. We do not know when the Cabinet will deal with this matter in these days of dinners and lunches, and when and whether the amendments will be moved. The majority should not terrorise the minority. We are in your hands in this matter. We have to consider the amendments that will be given notice of by the Government. It is in your power to say that necessary notice should be given to the Council of the amendments that are proposed to be brought forward by the Government. We request you to insist upon the prescribed notice being given, because we cannot go on without the usual notice. . ."

* The hon. the President :—"The hon. Member need not anticipate what I may do and go on arguing on that. We shall confine ourselves to the adjournment motion."

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Mr. C. V. Venkataramana Ayyangar :—" These are the reasons why we should adjourn the consideration of the Bill."

The hon. the President :—" The question is that the consideration of the Bill be adjourned till the next meeting."

* Mr. C. E. Wood :—" Sir, the hon. Member in charge of the Bill has notified that he will bring forward an amendment. I ask the hon. Member for the University whether he has ever known a Bill introduced into this House which did not undergo amendment in some form or another. We have been given to understand that all sections of the House require this Bill to be passed. I would point out that, though the hon. Members in the Opposition criticise everything that is brought forward by Government and take every opportunity of pointing out to the House that Government Members are of poorer mental capacity than themselves, it was not they who ascertained that the Bill was not in order; but they are now very strong in pointing out the omission. This Bill has been before the House for a considerable time and all Sections of the House have admitted that the country requires it. We feel that there should be no further delay."

Mr. Alladi Krishnaswami Ayyar :—" Sir, I did not propose to take part in this debate but for the fact that the hon. Member for the University has chosen to drag my name into it. I take the full responsibility of going through this Bill and suggesting such points as occurred to me. I do not profess to that wisdom of which he is a past-master. But at the same time, when a point is raised by the hon. the President, whatever my views may be in regard to the question of drafting, I think any responsible Member of this House would accept the suggestion from the President. Probably if my hon. Friend were in my position, he would not advise the Government as I have done but would stick to his opinion. That is my attitude in a matter like this. If it is a question of drafting and if I were asked about this particular point, there is a good deal to be said in favour of the view that even in the Bill as it stands, the necessary intention is there that the salary is payable out of the provincial revenue . . ."

* The hon. the President :—" The motion before the House is whether the consideration of the Bill be adjourned or not. I suggest to the hon. the Advocate-General not to refer to the provisions of the Bill at this stage. Since the hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendments, any discussion on the point that the Bill already provides for this purpose would be irrelevant."

Mr. Alladi Krishnaswami Ayyar :—" I bow to your ruling, Sir. It was said that the Government have been lax, that they did not take expert advice and that, on that ground, adjournment is asked for. I am therefore entitled to place before the House the fact that the Government consulted me and if there is any fault, it lies entirely with the adviser who was not able to grasp the particular point raised by the hon. President. I take full responsibility for that and I do not think it is right to fix that responsibility on the Government which is on my shoulders. This particular point did not occur to me. The Government consulted such advisers as they had. Since the Government have referred this point to their advisers, they have done all that can be done. If the adviser goes wrong, the Government cannot be blamed

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for that. The only ground which is put forward for the adjournment is that the Government have not taken the necessary expert advice. Such expert advice as is available to them has been availed of by them and rightly or wrongly this point did not occur to their expert adviser. Therefore it is not right that this dilatory motion should be put forward on the ground of want of diligence on the part of the Government."

*The hon. Mr. A. Y. G. CAMPBELL :—"I do not think, Sir, it is necessary to adjourn the discussion of this Bill on account of the question which has now arisen. The intention of the Government is clear from the wording of sections 6 and 7. All that is proposed to be done is to bring forward a subsequent amendment to the Bill with your permission to bring out clearly in the Bill the actual intention of the Government which is perfectly understood by the whole House."

*Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, I do not propose to reply to the most irrelevant speech, that was ever made on the floor of the House, of the hon. the Advocate-General in spite of repeated warnings from you. (Cries of 'order, order'.) I am perfectly in order in making these remarks. You were good enough to suggest that any reference to the votable or non-votable nature of the expenditure provided for in this Bill becomes irrelevant in view of the fact that the hon. the Revenue Member has promised to bring in an amendment to make this provision more secure. We are therefore proceeding on the promise made by the hon. the Revenue Member. It is just possible that the points which struck the hon. the Advocate-General now may not strike him over-night when he may be in a position to advise the Government that no further amendment is necessary; in which case the hon. the Revenue Member will be justified in not keeping up his promise made on the floor of the House. In that case we will be debarred from offering any criticism on this provision if it is passed now. If the motion of my hon. Friend, Mr. Satyamurti, that the consideration of the Bill be postponed till the next meeting would be found inconvenient, I think it will be a reasonable request for any hon. Member to make that the discussion of this particular clause be suspended till the anticipated amendment is on the floor of the House so that we may not be deprived of the possibility of criticising this provision. I request you to consider the possibility of relying upon the promise of the Government, in respect of this matter. The view of the Government may undergo a change if the expert adviser, the hon. the Advocate-General, says that no amendment is necessary, in which case the whole House will be deprived of the opportunity of discussing the question whether it is votable or non-votable expenditure. . . "

*The hon. the PRESIDENT :—"This is a question of procedure to be followed. The hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendment. He may bring forward a new clause to be added at the end of the Bill. He cannot bring any amendment to clauses 6 and 7 at this stage because this is the stage of second reading but he may do so at the third stage. We are proceeding on the undertaking given by the hon. Mover of the Bill and there is no reason for supposing that he will not do so. The Government have given an undertaking.

"The question is that the consideration of the Bill be adjourned." 4-45 p.m.

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The motion was put to the House declared lost. A poll was demanded and the House divided thus :

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, S. Satyamurti.
5. ,, C. V. Venkataramana Ayyangar.
6. ,, J. A. Saldanha.
7. ,, G. Harisarvottama Rao.
8. ,, C. S. Govindaraja Mudaliyar.
9. ,, Abdul Hameed Khan.
10. ,, L. K. Tulasiram.
11. ,, K. V. R. Swami.
12. ,, D. Narayana Raju.
13. ,, K. R. Karant.
14. ,, P. Anjaneyulu.
15. ,, C. Obi Reddi.
16. Mr. C. Ramasomayajulu.
17. ,, T. Adinarayana Chettiyar.
18. Sriman Biswanath Das Mahasayo.
19. Mr. A. Kaleswara Rao.
20. ,, M. Narayana Rao.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. Krishnaswami Nayakar.
23. ,, C. Venkatarangam Nayudu.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. ,, A. Ranganatha Mudaliyar.
26. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
27. Mr. R. Nagan Gowda.
28. ,, C. R. Parthasarathi Ayyangar.
29. ,, K. R. Venkatarama Ayyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, H. A. Watson.
10. ,, A. G. Leach.
11. ,, J. Gray.
12. ,, S. V. Ramamurti.
13. ,, C. B. Cotterell.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. Syed Tajudin Sahib Bahadur.
17. Mr. Abdul Wahab Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar-Major S. A. Nanjappah Bahadur.
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. ,, M. V. Gangadhara Siva.
29. ,, V. I. Muniswami Pillai.
30. ,, W. P. A. Soundarapandian.
31. Mr. S. Subrahmanya Moopanar.
32. ,, S. Venkiah.
33. Rao Sahib R. Srinivasan.
34. Mr Hilton Brown.
35. ,, V. Ramjee Rao.
36. ,, G. R. Premayya.
37. ,, H. F. P. Hearson.
38. ,, S. N. Dorai Raja.
39. ,, S. Arpudaswami Udayar.
40. The Raja of Kallikota.
41. Mr. C. E. Wood.
42. ,, A. J. Leech.
43. ,, F. E. James.
44. ,, R. J. C. Robertson.
45. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
46. Mr. B. Ramachandra Reddi.
47. Rao Bahadur Sir A. P. Patro.
48. Diwan Bahadur P. C. Ethirajulu Nayudu.
49. Mr. P. T. Rajan.
50. ,, T. K. Chidambaranatha Mudaliyar.
51. Rao Bahadur S. Ellappa Chettiyar.
52. Khan Bahadur Syed Abdul Razack Sahib Bahadur.
53. Mr. Khadir Muhi-ud-din Sahib.
54. ,, T. M. Moidoo Sahib.
55. Rao Bahadur B. Muniswami Nayudu.
56. Diwan Bahadur A. M. M. Murugappa Chettiyar.
57. Mr. K. Sarabha Reddi.
58. ,, A. V. Bhanoji Rao.

Ayes 29. *Noes* 58.

The motion was lost.

* The hon. the PRESIDENT :—"I now put clause 7 to the vote of the House."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I thought, Sir, I said that I wanted to speak on the amendment . . ."

Mr. G. HARISARVOTTAMA RAO :—"rM. President, I have sent a motion."

* The hon. the PRESIDENT :—"There should not be another dilatory motion immediately after one."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I want to speak on this motion, Sir, irrespective of the funds being votable or non-votable. Sir, I am

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one of those who have given notice of the amendment to omit clause 7. There is some consideration which I want to place before the House, and I request you will kindly permit me to do so.

"Now, Sir, we have been told that we should not discuss whether this is votable or non-votable on the assumption that there is no provision that they should be paid out of the Local Government funds. Sir, as the clause stands now, it means that the Commissioners will have to pay the money out of their pockets, and so I say this clause should be omitted. It is a very sad thing, Sir, and I do not think such a contingency was contemplated by anybody. Therefore, the best course is now to omit the clause as it is. If later on, at the third reading stage the Government brings any other amendment and if the hon. the President gives permission for any amendment to be made, and if the House carries that amendment, then it will be time enough for the Government to bring this clause again. Sir, there is also another aspect which I want to refer to, irrespective of whether the money is paid by the Commissioners or by this Council or anybody else. We have been always charging the Government that they are always very very favourable to higher officers and that they are very stingy in the case of the officers of the lower grades. In this case, Sir, they want one Secretary to be paid Rs. 1,500 a month and every attempt on our part even to suggest that there should be less pay for him or that the matter should be considered by the Council once a year or so has been totally opposed successfully. Now, what is the meaning of this clause 7? The establishment charges, i.e., salaries of clerks, peons, etc., will all come out of Rs. 1,000 a month. The travelling allowance and other things including contingencies, etc., will have to be included in this Rs. 1,000. I suppose the travelling allowance itself in the case of officers drawing Rs. 2,000 and Rs. 3,000 will come to nearly Rs 1,000 a month, and I do not know what the poor clerks and peons will have to do for their salary. I am sure the Secretary will be asked to employ clerks for Rs. 1-8-0 and peons of three pies a month, as there will be no money for expenditure on contingencies. Now, neither the Government nor the Council will have any power to increase this amount of Rs. 1,000. Even the Commissioners will not have the power to pay any higher amount, nor could they even pay large amounts from their pockets. Then again, Sir, if at any time the clerks of the other departments are able to get the sympathy of this House and we are prepared to be more sympathetic and liberal towards their demands and if we want to do something and increase the clerks' salary by revising the present rate of Rs. 35—1½—50 –1—60, even then these clerks of the Commission's office will not be able to get any advantage therefrom, because if any amount is given to the Commission in a lump, the Commissioners will be only too glad to utilize it for their travelling allowances and contingencies, etc. This seems to be most absurd, Sir, and any reasonable House, if we still maintain that we have got some reason, should on the basis of this fact alone, vote against this clause. In spite of what all our friends on the other side may say that we are trying to introduce communalism into the question and all that, let this House show to the world that we are not consistently foolish, that we are not persisting in committing wrong things always and that from our point of view—and I think the other Members will also agree with me—we must come to the conclusion that this clause is meaningless. If the clause is really taken away, there can be no injury to anybody, and everything will be quite alright. Therefore, Sir, I strongly support the removal of this clause from the Bill."

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Mr. W. P. A. Soundarapandiyan :—" Sir, I move that the question be now put."

The hon. the President :—" The question is that the question be put."

The motion was put to the House and declared lost. A poll was demanded and it was taken with the following result :—

Ayes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. ,, S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manickavelu Nayakar.
17. ,, Syed Tajudin Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar-Major S. A. Nanjappah Bahadur
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. Mr. V. I. Muniswami Pillai.
29. ,, W. P. A. Soundarapandian.
30. ,, S. Subrahmanya Moopanar.
31. ,, S. Venkiah.
32. Rao Sahib R. Srinivasan.
33. Mr. G. R. Premayya.
34. ,, H. F. P. Hearson.
35. ,, S. N. Dorai Raja.
36. ,, S. Arpudaswami Udayar.
37. The Raja of Kallikota.
38. Mr. C. E Wood.
39. ,, A. J. Leech.
40. ,, F. E. James.
41. ,, R. J. C. Robertson.
42. Rao Bahadur Sir A. P. Patro.
43. Diwan Bahadur P. C. Ethirajulu Nayudu.
44. Mr. P. T. Rajan.
45. ,, T. K. Chidambaranatha Mudaliyar.
46. Rao Bahadur S. Ellappa Chettiyar.
47. Khan Bahadur Abdul Razack Sahib Bahadur.
48. Mr. Khadir Muhi-ud-din Sahib.
49. Khan Sahib T. M. Moidoo Sahib Bahadur.
50. Rao Bahadur B. Muniswami Nayudu.
51. Diwan Bahadur A. M. M. Murugappa Chettiyar.
52. Mr. K. Sarabha Reddi.
53. ,, A. V. Bhanoji Rao.

Noes.

1. Mr. M. V. Gangadhara Siva.
2. ,, P. C. Venkatapathi Raju.
3. ,, K. Koti Reddi.
4. ,, Sami Venkatachalam Chetti.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G Harisarvottama Rao.
9. ,, C. S. Govindaraja Mudaliyar.
10. ,, Abdul Hameed Khan.
11. ,, L. K. Tulasiram.
12. ,, K. V. R. Swami.
13. ,, K. R. Karant
14. ,, D. Narayana Raju.
15. Mr. P. Anjaneyulu.
16. ,, C. Obi Reddi.
17. ,, C. Ramasomayajulu.
18. ,, T. Adinarayana Chetti.
19. Sriman Biswanath Das Mahasayo.
20. Mr. A. Kaleswara Rao.
21. ,, M. Narayana Rao.
22. ,, C. N. Muthuranga Mudaliyar.
23. ,, K. Krishnaswami Nayakar.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. ,, C. R. Parthasarathi Ayyangar.
26. ,, K. R. Venkatarama Ayyar.
27. ,, C. Venkatarangam Nayudu

Ayes 53. *Noes* 27.

The motion was carried.

* The hon. the President :—" I now put clause 7 to the vote of the House."

Mr. J. A. Saldanha :—" I have got an amendment, Sir."

* The hon. the President :—" The closure has been carried. The motion that is under consideration now is that clause 7 shall form part of the Bill. When a closure motion is carried, I will have to put the clause to the House. Any motion on the clause after the closure motion is carried is out of order."

Mr. P. C. Venkatapathi Raju :—" But the amendment is there, Sir."

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* The hon. the PRESIDENT :—"The amendment was already disposed of and I was about to put clause 7. Then Mr. C. V. Venkataramana Ayyangar wanted to speak on the merits of clause 7."

Mr. C. V. VENKATARAMANA AYYANGAR :—"No, on the merits of the amendment to clause 7, subject to your ruling."

* The hon. the PRESIDENT :—"I am sorry. Yes, I shall now put the amendment to the vote of the House."

* The hon. the PRESIDENT :—"The question is that clause 7 be omitted." 5 p m.

The motion was put to the House and declared lost. A poll was demanded and the House divided thus :

Ayes.

1. Mr. C. E. Wood.
2. ,, A. J. Leech.
3. ,, F. E. James.
4. ,, R. J. C. Robertson.
5. ,, H. F. P. Hearson.
6. ,, G. R. Premayya.
7. ,, P. C. Venkatapathi Raju.
8. ,, K. Koti Reddi.
9. ,, Sami Venkatachalam Chetti.
10. ,, S. Satyamurti.
11. ,, C. V. Venkataramana Ayyangar.
12. ,, J. A. Saldanha.
13. ,, G. Harisarvottama Rao.
14. ,, C. S. Govindaraja Mudaliyar.
15. ,, Abdul Hameed Khan.
16. ,, L. K. Tulasiram.
17. ,, K. V. R. Swami.
18. Mr. D. Narayana Raju.
19. ,, K. R. Karant.
20. ,, P. Anjaneyulu.
21. ,, C. Obi Reddi.
22. ,, C. Ramasomayajulu.
23. ,, T. Adinarayana Chettiyar.
24. Sriman Biswanath Das Mahasayo.
25. Mr. A. Kaleswara Rao.
26. ,, M. Narayana Rao.
27. ,, C. N. Muthuranga Mudaliyar.
28. ,, K. V. Krishnaswami Nayakar.
29. ,, C. Venkatarangam Nayudu.
30. ,, K. S. Sivasubrahmanya Ayyar.
31. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
32. Mr. C. R. Parthasarathi Ayyangar.
33. ,, K. R. Venkatarama Ayyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, ,, M. R. Seturatnam Ayyar.
6. ,, ,, S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A. Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. ,, S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manickavelu Nayakar.
17. ,, Syed Tajuddin Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar Major S. A. Nanjappah Bahadur.
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. ,, V. I. Muniswami Pillai.
29. ,, W. P. A. Soundarapandian Nadar.
30. ,, S. Subramanya Moopanar.
31. ,, S. Venkiah.
32. Rao Sahib R. Srinivasan.
33. Mr. S. N. Dorai Raja.
34. ,, S. Arpudaswami Udayar.
35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
36. Rao Bahadur Sir A. P. Patro.
37. Diwan Bahadur P. C. Ethirajulu Nayudu.
38. Mr. P. T. Rajan.
39. ,, T. K. Chidambaranatha Mudaliyar.
40. Rao Sahib S. Ellappa Chettiyar.
41. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
42. Khader Mohideen Sahib Bahadur.
43. Khan Sahib T. M. Moidoo Sahib Bahadur.
44. Rao Bahadur B. Muniswami Nayudu.
45. Diwan Bahadur A. M. M. Murugappa Chettiyar.
46. Mr. K. Sarabha Reddi.
47. ,, A. V. Bhanoji Rao.

Ayes 33. *Noes* 47.

The motion was lost.

The House then adjourned to meet again at 11 a.m. on Tuesday the 13th August 1929.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.